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ABSTRACT

A survey of judges, attorneys, and social service workers was used to ascertain the effectiveness of existing court systems in processing family cases and to determine if a family court could improve the administration of justice to families. The data suggested that: (1) the dual-court system and the training of lawyers, judges, and social service workers were limitations of the current system; (2) the philosophical schism between district court judges and domestic relations attorneys on the one hand and juvenile court judges and social service workers on the other was a problem which made it difficult for the legal profession and social service profession to work together in offering services to families in trouble; and (3) a family court is a viable alternative to the present dual-court system, proving itself to be effective in several states. (Author)

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THE PROS AND CONS OF A FAMILY COURT: AN EMPIRICAL EVALUATION*

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THE PROS AND CONS OF A FAMILY COURT: AN EMPIRICAL EVALUATION

Introduction

In recent years there has been much discussion of the term "family court." Several states have established a family court, and the National Advisory Committee on Criminal Justice Standards and Goals (1973; 1976) has recommended that family courts be established. Proponents of a family court maintain that it can improve the administration of laws affecting family life if it is implemented properly (Gordon, 1976). Although there have been many discussions and recommendations favorable to a family court, there has been little empirical study of its positive and negative aspects. The purpose of this paper is to report such a study. The data were obtained from a survey of professionals who work with families that are involved with courts.

What Is a Family Court?

A family court is the consolidation of all domestic relations cases into one court. The specific jurisdiction of a family court may vary, but generally it includes the following four types of cases: (1) marital dissolution, including the division of money and property; (2) child custody and support; (3) juvenile delinquency (Arthur, 1976: 29); and (4) intra-family violence.

Proponents have given four major reasons for establishing a family court. First, they feel a family court will eliminate the split jurisdiction that currently exists in family problems. For

example, in most jurisdictions a couple that divorces and has a delinquent child goes to two different courts, even though the two problems may be related. Second, it is argued that because of their involvement and interest in domestic cases family court judges will be able to develop greater understanding and expertise in family problems than other judges. Third, it is maintained that a family court will improve the coordination of social support systems, since all legal decisions regarding a given family will go through one court (Gordon, 1976; Arthur, 1976). Finally, a family court generally employs counselors and social workers to conduct child custody evaluations and offer short term counseling to families.

A critical defining characteristic of a family court is that it must be a court, not a social service agency. A court cannot intervene in someone's life except in accord with legal processes (Gordon, 1976: 5).

Problem Statement

Although there have been many discussions and positive recommendations, few states have adopted a family court. Only six states have a statewide family court: Connecticut, Delaware, Hawaii, New York, Rhode Island, and South Carolina. A number of other states have experimented on a county or city basis with some aspects of a family court system, primarily with counseling programs.

Kephart (1977) listed the following as possible reasons why more states have not adopted a family court: (1) the needed social service personnel are costly, (2) it appears to place substantial power in

one court, and (3) it is difficult to obtain judges with expertise and interest in family cases.

There continues to be debate concerning the idea of family court. The objective of this study is to provide an empirical evaluation of the family court concept. To accomplish this objective, data on the following questions are needed: (1) How efficient are the current court systems in processing family cases? (2) Could a family court improve the administration of justice to families?

Method of Data Collection

As the study began it was apparent that there were intense feelings regarding the establishment of a family court. It also appeared that decisions were sometimes made without taking the time to systematically gather and analyze the facts and attitudes of all relevant individuals. Therefore, it seemed imperative to conduct a sample survey of the relevant professionals involved in family litigation.

A questionnaire was designed to elicit information pertaining to the study objectives. A pilot survey was then conducted among fifteen relevant professionals after which the questionnaire was revised and prepared for the final draft.

The mail survey was chosen as the method of data collection because cost precluded the use of personal interviews. A mail survey is an efficient and inexpensive method of sampling a large population. A cover letter which explained the purpose of the study was mailed to each respondent along with the questionnaire. Except for judges follow-up of non-respondents was not possible with the existing budget.

The questionnaire included a series of questions regarding the strengths and weaknesses of the current court system and a family court. The questions were primarily fixed format although several open-ended questions were also included. Since the positioning of support services is critical in the establishment of a family court, a number of questions were addressed to this issue. The fixed-format questions were in the form of declarative statements and each person could respond on a five-point scale from "strongly disagree" to "strongly agree."

Sample

To accomplish the objectives of this study, it was necessary to obtain information from individuals who work in and with a court system. The general sample was drawn from the Utah court system and from agencies that work closely with the court. Utah was chosen because it is the residence of authors. The Utah court system appears to be similar to many court systems in the United States. Data were also obtained from family court judges in five other states. Six professional groups were identified that are involved with the processing of families through the courts: (1) District Court Judges; (i.e., judges of the court of general trial jurisdiction); (2) Juvenile Court Judges; (3) Juvenile Court Staff; (4) Domestic Relations Attorneys; (5) Social Service Workers; and (6) Family Court Judges in Other States. A sample of each group was identified and a questionnaire mailed to each person. The remainder of this section is a brief description of the sampling procedures used for each group.

Judges

A list of the 24 district court judges was obtained from the office of the Utah State Court Administrator, while the State administrative office of the Juvenile Court provided a list of the eight juvenile court judges. Each judge was mailed a cover letter explaining the project and a questionnaire designed to elicit factual and attitudinal information relevant to the objectives of the study. After follow-up by mail and telephone, every juvenile court judge and 15 district court judges returned the questionnaire. The remaining nine district court judges were interviewed by telephone to obtain their responses to the major issues on the questionnaire. Thus, a 100 percent response was obtained from the judiciary.

Juvenile Court Staff

A list of 57 probation officers and 12 administrators was obtained from the Utah State Juvenile Court Office. Thirty-nine of these individuals completed the questionnaire, a return rate of 57 percent. This is a respectable return rate for a mail survey and is sufficient to provide the perspective of juvenile court probation officers. In addition, responses were obtained from 5 employees of the Youth Development Center (State Reform School) that are involved in juvenile and family problems in a manner similar to probation officers. For the analysis the responses of these 5 individuals were grouped with those of the 39 juvenile court employees.

Domestic Relations Attorneys

In this study we were interested in sampling attorneys who handle divorce and juvenile cases frequently. To do this a list of 101

attorneys who specialize in domestic relations and juvenile law were obtained from the office of the Utah State Bar. This included 77 domestic relations attorneys and 24 attorneys who listed juvenile law as a specialty. A total of 50 percent (51 of 101) of the attorneys returned the mailed questionnaire. The return rates for the domestic relations and juvenile attorneys were 57 percent and 29 percent.

Social Service Workers

Six types of Utah social service workers were included in the sample representing the following areas: Division of Family Services, mental health clinics, Utah State Hospital (mental), Division of Corrections, private social agencies, and Recovery Services. The total social service sample was 211. Sixty-nine percent of these (146) responded to the questionnaire. This provided responses from a variety of social service personnel involved in family litigation. Their responses were combined for the analysis.

Family Court Judges in Other States

One of the most important groups to survey was family court judges in other states. Because of their personal experience they were able to offer valuable insights into the strengths and weaknesses of a family court.

We obtained from the Utah Juvenile Court a list of six judges from the following states: (1) Connecticut Family Court, Bridgeport, Connecticut; (2) First Circuit Family Court, Honolulu, Hawaii; (3) Missouri Court of Appeals, St. Louis, Missouri; (4) Family Court, Wilmington, Delaware; (5) Rhode Island Family Court, Providence, Rhode Island. Each judge answered a number of questions regarding his or her experience with a family court.

Findings

Current Court System

This section evaluates the effectiveness of the current court system with regard to domestic relations cases. Each person was asked the extent to which he agreed or disagreed with the following five statements:

1. Divorce is handled in an efficient manner by the current court system.
2. Most judges are well trained to deal with domestic issues.
3. The current social support systems available to courts for processing domestic cases are reasonably adequate.
4. Communication and coordination between two courts is difficult and this impedes justice for multiproblem families that appear in two or more courts.
5. One of the greatest problems of the existing multi-court system is that adults go to one court and juveniles to another, thus dividing the family among the courts.

For each statement a five-point response format was used ranging from "strongly disagree" to "strongly agree". The results are shown in Table 1.

Table 1 About Here

Divorce. The first two questions focused on the way divorce and other domestic relations cases are currently handled. A large majority of the district court judges (88%) and attorneys (76%) felt that divorce is handled efficiently. On the other hand, only a small minority of juvenile court judges, juvenile court staff, and social service workers indicated that divorce cases are handled efficiently.

The responses to the second question were similar. The district court judges and attorneys indicated that judges are well trained to deal with domestic issues, while among the other three groups very few felt that judges were adequately trained to deal with domestic issues.

The data show a definite polarization between attorneys and district court judges on the one hand, and juvenile court judges and social service workers on the other. In general, attorneys and district court judges felt that couples who want a divorce should be able to obtain it quickly. Their responses indicate no desire nor perceived need to change the way divorce cases are currently processed.

Support Services. The third question asked about the adequacy of social support services available to courts for processing domestic cases. As shown in Table 1, less than 50 percent of each group indicated that support services were adequate. None of the juvenile court judges rated the support systems adequate, while about 25 percent of the juvenile court staff did. Although almost half of the district court judges said that social support systems were adequate, many qualified their answers. When asked specifically about the agencies that served their court, only 25 percent (6) of the district court judges were satisfied.

Two major concerns were expressed by judges regarding social support services. First, several said that the services provided were not competently performed. Child custody evaluations were frequently cited as an example. Some judges complained that the evaluations were useless since two different evaluators would undoubtedly come up with two different recommendations. A second

problem was that the social service agencies were frequently slow and not responsive to the needs of the court.

The Multicourt System. Two questions were asked concerning this issue. We asked whether the two-court system impedes justice for multiproblem families and if dividing families between courts is one of the greatest problems of the existing court system. All of the juvenile court judges and over three-fourths of the juvenile court staff and social service workers perceived that the present multi-court system impedes justice. Only one-third (39%) of the attorneys and one-fourth of the district court judges felt this way.

The fifth question was a measure of how important the problem of splitting a family between the courts is perceived to be. A majority of juvenile court staff and social service workers indicated it was one of the greatest problems of the existing court system. In contrast, less than one attorney in ten felt that it was a serious problem. Approximately one-fourth of both juvenile and district court judges perceived the splitting of families between courts to be a major limitation.

Strengths and Weaknesses. All respondents were also asked to list the strengths and weaknesses of the current court system. Overall, people were not particularly complimentary toward the courts although judges were more positive than the other individuals. The two most frequently listed strengths were that (1) the courts process cases efficiently and quickly, and (2) the judges are competent and fair. A majority of the district court judges listed at least one of these strengths. Some of the other strengths indentified were the independence of the court from other branches of government, the efficiency

of the district court in handling divorce cases when no children are involved, and the separation of adult and juvenile cases.

The most frequent complaint of the current court system was that divorce and child custody cases are not handled properly. Although district court judges generally felt that divorce is handled efficiently, one-third of them indicated that child custody decisions are a problem. Several noted that the adversary system does not work well for making decisions on child custody and support. Almost one-third of the juvenile court judges and one-fourth of the social service workers indicated that the processing of divorce and custody cases is problematic.

A limitation identified by several judges was the incompetence of social service workers. Six district court judges and one juvenile court judge expressed concern over the quality of the social services provided. One of the frequent complaints of judges was that adequate information was not available to make custody decisions, and the information they did get was slow and of low quality. Almost none of the social service workers identified this as a concern.

The organization and use of social services was a problem area frequently mentioned by juvenile court judges, attorneys and social service workers. The comments reflected two different concerns. The juvenile judges expressed a need for social services to be more accountable to the court. They claimed the quality and speed of social services is greatly reduced without court accountability. The second concern, primarily voiced by social service workers, was that courts do not use existing social services or emphasize rehabilitation.

A concern over volume and case backlogs was also expressed by some. About one-fifth of the district court judges, juvenile court staff, domestic relations attorneys, and social service workers said that volume and slow processing were current weaknesses.

Finally, some juvenile court judges, juvenile court staff, and social service workers listed the lack of coordination between district and juvenile courts as a limitation. They said there was duplication, overlapping jurisdiction, and a lack of continuity between the two courts. No district court judges and only 1 attorney identified this as a current weakness.

Utah Data on Family Court

The critical question in this research is whether or not a family court would improve the legal processing of domestic cases. In this section the responses from the Utah sample on this issue are presented. Each person was asked the extent to which he agreed or disagreed with the following three statements:

1. A comprehensive family court would be too big and powerful.
2. A comprehensive court would be more expensive to operate than the present court system in Utah.
3. The services of state and local agencies could be improved by a court having jurisdiction over all family cases.

Again, there were five possible responses ranging from "strongly agree" to "strongly disagree". A tabulation of these responses is shown in Table 2.

Table 2 About Here

Strengths and Weaknesses. Some have maintained that a family court would be too large and powerful. Only a small minority of the respondents expressed this concern, although it was higher among district court judges (29%) and attorneys (28%) than among the other three groups (17% or less) (See Table 2).

The expense of a family court is another problem that has frequently been discussed. Approximately 50 percent of district court judges, juvenile court judges, and attorneys said a family court would cost more than the current court system. Only 20 percent of juvenile court staff and social services felt it would be more expensive.

Proponents of a family court have said that the unity and consistency created by a family court would improve the services of social agencies. About one-half of the district court judges and attorneys agreed compared to 70 percent or more among the other three groups (See Table 2).

We also asked each respondent to list the strengths and weaknesses of a family court. Five major strengths were identified by the respondents: (1) A family court would treat the family as a unit; (2) It would make the court system more efficient by creating a unified system with less duplication; (3) The specialization would lead to greater expertise on the part of judges; (4) A family court would provide specialized services to families (counseling and social work); and (5) It would improve child custody decisions. Very few district court judges listed greater efficiency or specialized services as strengths, but about one-third agreed that treating the family as a unit and specialization of judges were definite strengths.

Four weaknesses of a family court were listed: (1) It would be too large and complicated; (2) It would be too expensive; (3) The court would become too much of a social agency; and (4) It would give too much power to social services.

Overall, the major strengths of a family court appear to be increased efficiency and competence that result from treating the family as a unit. The two major limitations identified were the size and expense of a family court.

Data From Other States on Family Court

Perhaps the most valuable data in this study are the responses of six judges in other states that have had personal experience with a family court. They were asked a series of questions about the family court in their state, including how it was organized, and its strengths and weaknesses.

The out-of-state judges were strongly in favor of a family court. They said that a family court is not necessarily more expensive than the traditional dual-court system, and that it helps improve services from local agencies. They also felt that dividing a family between two courts is inefficient and that family courts solve this problem. A summary of their responses to these questions is shown in Table 3.

Table 3 About Here

A description of the family court in each state and the judges' evaluations are now presented.

Rhode Island established a state-wide family court in 1961, the first state to do so. Their court includes a chief judge and eight

associate judges and has jurisdiction over divorce, child custody, delinquency, and other family litigation. It also has a family counseling clinic which (1) provides family and alcohol counseling services free of charge to any person requesting it, (2) acts as a referral service to other agencies, and (3) conducts child custody evaluations and other investigative services.

Judge Healey, the administrative judge in the Rhode Island Family Court, made the following observations from his experience with family courts (Healey, 1961):

1. Family-related legal problems have a common root. To treat these problems in separate courts is to encourage inconsistent court orders, and to needlessly further upset the lives of families who appear before the court. Consolidation of jurisdictional authority is needed in order to provide a more consistent approach to the resolution of family-related legal problems. Cases could be scheduled so that the judge who hears a divorce action would also preside over a delinquency hearing for a child of the same family (p. 7).

2. Judges should have strong legal skills and special sensitivities in human and community relations. They also require a strong working knowledge of community rehabilitation agency services and social science research. Interest alone is not sufficient (p. 13).

3. A family court is not a social agency which utilizes legal authority. Constitutions, statutes, rules and decisional law are central to its process and decisions. Collaborative social and rehabilitation service agencies are central to the successful implementation of its orders (p. 14).

Judge Healey said that in the long run family courts are not more expensive than the typical court system. In a letter (dated November 17, 1978) he stated, "I am a very strong advocate of the family court system and highly recommend it to any state that is giving it consideration."

In Hawaii the Family court was organized in 1966 and is a division of the Circuit Court, the court of general trial jurisdiction. Its jurisdiction includes divorce, custody, guardianship, juvenile delinquency, child abuse, spouse abuse, and mental commitments. Counseling services are provided by the court as needed in divorce and juvenile cases.

The Hawaiian family court judge said they went to a family court because of a recognition and acceptance that cases pertaining to children and the family require both legal and social considerations and should be centralized in a single specialized court. The judge felt the strengths of a family court are that (1) family problems and strengths are identifiable at one operational court level, (2) goals, programs, and activity planning can be more comprehensive, and (3) data collection can be more expensive. Two weaknesses indicated are the prioritizing of programs (children in favor of adults or vice versa) and the difficulty in gauging the community's demands and expectations for the service performed. The Hawaiian judge said the family court is a much better system than what they had before.

In 1971 Delaware established a statewide family court, although it has had a family court in New Castle County (Wilmington) since 1945. Data on this court system were provided by two family court judges from Delaware. Both strongly supported a family court and said it is more efficient because it treats the family as a unit. Neither identified any weaknesses of a family court. One noted that before the establishment of a family court cases of husband-wife violence were heard in magistrate courts and people would not use them. Now

that there is a family court people involved in intrafamily violence come seeking help. Both judges recommended that other states establish family courts and one stated: "It is hard for me to understand and visualize how family problems and children problems can be handled without a family court."

The responses of a circuit judge of the U.S. Circuit Court of Appeals (8th Circuit, St. Louis) were particularly valuable because he is not a family court judge. He has had extensive experience in juvenile, divorce, and custody cases. He was very positive about a family court and indicated that its strength is having one court to handle all family problems. He lamented that his state did not have a family court and recommended that they be established in other states.

The Connecticut Family Court was established in July of 1978 by merging the juvenile court with the court of general trial jurisdiction. Twelve judges were assigned to the family court division and are rotated every 6 months.

The Connecticut judge told us that their new family court system has serious problems. The rotation of judges does not allow for the development of expertise in family law, the assignment of judges according to their interests, or the development of a consistent working relationship between the judges and the court support services. Consequently, there is less control of the support staff by the judges. The judge maintained that in Connecticut the quality of judicial processing and support services decreased after establishing the family court.

Overall, the family court judges outside Utah strongly recommended the establishment of a family court. They felt it would increase the consistency and efficiency of judicial decisions and social services for problem families. The only negative comments came from the Connecticut Family Court, but its problems appear to be due to the rotation of judges, which defeats many of the purposes for establishing a family court.

Alternative Ways of Organizing a Family Court

One important issue is whether the family court should be part of the court of general trial jurisdiction (district courts in Utah) or an independent court system. The first alternative would require that all juvenile and divorce cases be combined into one division of district court. The second alternative would remove divorce cases from district court and add them to juvenile court. There was not agreement among Utah judges as to which procedure is preferable. The majority of the district court judges said that a family court would be acceptable if juvenile court was joined with district court. However, the judges from Third District Court (Salt Lake County) tended to oppose this alternative. They felt it would be permissable if the divorce jurisdiction was removed from district court and added to juvenile court. The majority opinion in this sample was to combine juvenile and district courts and have a family court division of district courts.

A second issue is the selection and tenure of judges. The experiences in Rhode Island, Hawaii, Delaware, and Connecticut indicate that family court judges need to be picked on the basis of interest and expertise. Rotation of judges is considered inefficient and the Connecticut

Family Court illustrates the problems created by rotation of judges. The other states also expressed a need to have one judge appointed as the chief judge to administer the family court.

Another important issue is whether or not a family court should have jurisdiction over criminal cases involving violence between family members. In New York and Rhode Island intrafamily violence cases have been placed in the family court because they are different from other criminal acts. These offenses are technically criminal but they lack elements, public or private, that would merit criminal procedings. This enables the family court to treat the basic parts of family conflict without dividing the problem into two different courts.

The family members who bring charges are not interested in a criminal conviction generally, but are making a motion for help. Many avenues for help could be offered, including: financial support, custody of children, visitation, specified conduct toward family members, case-work, counseling, and medical aid, as well as in the home supervision and support from court personnel (Paulson, Wadlington and Goebel, 1974; Berman, 1972).

The organization of court support services is a fourth issue. Several key questions on this issue are: (1) Should counseling be mandatory or voluntary for couples who have filed for divorce? (2) Should counseling be part of the court or should it be in the executive branch of government? (3) If it is in a department in the executive branch, how can it be organized to assure competent services to the courts? The past experience indicates that counseling should be available but not required. Although there is some evidence that mandatory counseling may have positive effects (The Family

Court of Salt Lake County: Annual Report, 1972), it also appears to increase resentment in couples and lawyers (Bodenheimer, 1960-61). Data on the other two questions were obtained from the Utah sample and from the six judges in other states. The results are shown in Tables 4 and 5.

Tables 4 and 5 About Here

The data in Table 4 show considerable differences in opinions about the organization of court support services. Juvenile court judges strongly indicated (86 percent) that support services would be more efficient if administered by the judges, while approximately one-third of the district court judges felt this way. One-half of the district court judges and none of the juvenile court judges said that court support services should be in the executive branch of government. Two concerns were evident from the responses. First, social services provided to the courts have frequently been inadequate and judges need some control over the situation. Second, some (particularly district court judges) felt the court is not a social service agency and that it should not be involved in counseling.

The family court judges in other states favored having counseling services as part of the court system (See Table 5). However, a Delaware judge noted that it could be workable to have the court social services administered by a department in the executive branch if the judges had voice in setting policy. The judge from Hawaii commented that the court support services should be within the judiciary but administered by a non-judicial officer. The critical factor is to

have adequate counseling services available to the court and not their location.

Utah Circuit Judge Arthur G. Christean (1977) has identified the following advantages and disadvantages of the court maintaining its own social support staff:

Advantages:

1. The court deals directly with personnel it selects, trains, and supervises rather than working through intermediaries. Relationships can be kept simple and direct.

2. Staff are directly accountable to the court rather than outside agencies. Problems associated with "serving two masters" are avoided.

3. The court can take a more active role in controlling its own workflow and the execution of its orders. Avoids splitting authority and responsibility.

4. Court services substantially affecting the quality of judicial decisions can be administered on the basis of sound principles of administration rather than on the basis of historical or politically evolved functions.

5. Expands the resources available to the court.

6. This approach is more likely to command staff loyalty and the values the court seeks to implement.

Disadvantages:

1. An unduly large staff structure tends to become overly bureaucratic and complex which may divert judges time and attention from adjudication to problems of personnel administration.

2. May impair the independent judgement necessary for review of the actions of staff persons if the court is also the direct employer. Can put the judge in the position of judging his own actions.

3. May involve the court in problems which are beyond the constitutionally acceptable functions of the judiciary.

4. Places judges, or court administrators, in the position of supervising certain kinds of professionals for which they have little background or expertise.

Summary

The two major objectives of this study were to (1) ascertain the effectiveness of existing court systems in processing family cases and (2) determine if a family court could improve the administration of justice to families.

Several problem areas were apparent from the present data. First, there appears to be a need to upgrade the divorce process, particularly with regard to child custody matters. The attorneys and district court judges were generally positive in their evaluations, but they may have been somewhat biased because of their positions. Even they noted some problems in divorce processing and suggested that improvements are needed. Changes in the adversary system and in the training of lawyers and judges who handle divorce and custody cases appear to be needed. The data also indicate a need to improve the competence of social service workers and how they relate to the courts. Finally, the dual-court system appears to create some problems, although only about a fourth of the judges perceived it to be one of the major weaknesses of the current court system. Although the data were primarily from Utah, the findings are applicable to other states, as indicated by the responses of the judges outside of Utah.

A number of limitations in the way family cases are processed in a multi-court system have been identified. A family court has

been offered as one alternative and has been tried in several states. However, critics of a family court feel it may become a large complicated, bureaucratic maze. The present data were not consistent with this criticism. Another criticism of family court has been that it would be much more expensive to operate than the present multiple court system. Judges and attorneys in Utah were evenly divided on this issue. A majority of juvenile court staff and social service workers felt that it would not be more expensive to convert to a family court system. Only one of the judges outside Utah said that a family court was more expensive than a traditional court. Since they were personally involved in domestic courts, this suggests that a family court would not be significantly more costly to organize and run than the existing multiple court system.

The judges from outside Utah felt that family court has been an asset to implementing domestic law. It was stated that agency services were greatly improved because the given agency only had to deal with one court instead of two or three. This was especially useful when they were trying to effect solutions to multiple problems in a given family.

The major problem area that was uncovered by the present study was the philosophical schism between district court judges and domestic law attorneys on the one hand and juvenile court judges and social service workers on the other. The first group felt that a multiple-court system works very well and that the social services should not be part of the court. The other group felt that the court hearing is a good time to come in with some social support services for the individuals involved.

Since the data did not support the two major criticisms of family court, the real issue may be providing social services to the clients of the court. The small number of family courts in the U.S. may not be a result of their being ineffective, but rather the inability of the legal profession to team up with the social service profession in offering better services to families in trouble.

Table 1: EVALUATION OF CURRENT COURT SYSTEM

(Percent who Responded "Agree" or "Strongly Agree" to Selected Questions)

	District Court Judges	Juvenile Court Judges	Juvenile Court Staff	Domestic Relations Attorneys	Social Service Workers
1. Divorce is handled efficiently in current system.	88%	0%	10%	76%	13%
2. Judges are well trained in domestic issues.	75	0	7	61	4
3. Current social support systems are adequate.	48	0	26	41	21
4. The two-court system impedes justice by dividing families.	26	100	76	39	80
5. One of the greatest problems is the dividing of families into two courts.	29	25	64	8	64
N of cases	(24)	(8)	(44)	(39)	(146)

Table 2: OPINIONS ABOUT A FAMILY COURT

(Percent who Responded "Agree" or "Strongly Agree" to each item)

	District Court Judges	Juvenile Court Judges	Juvenile Court Staff	Domestic Relations Attorneys	Social Service Workers
1. A family court would be too big and powerful.	29	0	17	28	10
2. A family court would be more expensive.	57	50	21	50	20
3. Services of agencies could be improved by a family court.	46	100	70	42	80
N of cases	(24)	(8)	(44)	(38)	(146)

Table 3: SUMMARY OF OPINIONS ABOUT FAMILY COURT OF JUDGES OUTSIDE UTAH

Summary of Questions	Judges						
	Rhode Island	Delaware	Delaware	Hawaii	Connecticut	Missouri	Totals
1. Would services of agencies be improved by a family court?	Yes	Yes	Yes	Yes	No	Yes	83% (5/6)
2. Would a family court be more expensive than typical courts?	No	Yes	No	?	?	?	17% (1/6)
3. Is dividing family into multiple courts a problem?	Yes	Yes	Yes	Yes	No	Yes	83% (5/6)

Note: The symbol "?" refers to the respondent being uncertain.

Table 4: SUGGESTIONS OF UTAH PROFESSIONALS ON ORGANIZING COURT SOCIAL SUPPORT SERVICES

(Percent Who Responded "Agree" or "Strongly Agree")

	District Court Judges	Juvenile Court Judges	Juvenile Court Staff	Domestic Relations Attorneys	Social Service Workers
1. Placing support services under judges confuses judicial and executive responsibilities.	50%	0%	65%	54%	56%
2. Support services should be in executive branches.	50	0	60	37	51
3. Support services are more efficient if administered by family court judges.	30	86	28	37	20
4. Support services should be in executive branch, with family court judges having a voice in setting policy.	48	14	61	41	62
5. Support services should be a separate division of State Dept. of Social Services.	35	17	44	39	54
N of cases	(24)	(8)	(44)	(38)	(146)

Table 5: OPINIONS OF NON-UTAH JUDGES ON ORGANIZING COURT SOCIAL SUPPORT SERVICES

	Rhode Island	Delaware	Delaware	Hawaii	Connecticut	Missouri	Total
1. Could family violence be handled better if court offered counseling?	yes	yes	yes	yes	no	yes	83% (5/6)
2. Would placing support services under judge confuse judicial and executive lines?	no	no	no	no	no	yes	17% (1/6)
3. Would court support services be more efficient if administered by board of judges?	yes	yes	yes	?	yes	yes	83% (5/6)
4. Should court social services be administered by a department of the executive branch, with judges having some voice in setting policy?	no	no	no	no	no	yes	17% (1/6)
5. Should court support services be a division of the State Department of Social Services?	yes	no	?	no	no	no	17% (1/6)

Note: The symbol "?" refers to the respondent being uncertain.

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